

REMARKS

Reconsideration is respectfully requested.

Applicant has reviewed the Examiner's comments and the cited references and responsive thereto applicant offers the following comments pertaining to each ground of rejection. In addition, the applicant has added new claim 10 for the Examiner's consideration.

The Examiner has rejected claims 1-5 under 35 U.S.C. 102(b) as being anticipated by Braud (5,687,809). However, applicant respectfully submits that Braud clearly fails to teach or suggest an arrangement in which its engine cooling apparatus longitudinal axis is oriented substantially parallel to the arm longitudinal axis, as claimed by the applicant. Rather, Braud teaches the exact opposite of this claimed feature. Although the Examiner references col. 2, lines 49-52 of Braud to support the teaching of this claimed limitation, this section of Braud simply states that "the axis of the fan 26 [is] substantially parallel to the longitudinal axis of the truck" (emphasis mine). And, unless the fan of Braud is directed to a side of Braud's radiator (which is not shown), this arrangement of the fan axis necessitates that the longitudinal axis of Braud's radiator be perpendicular and not parallel to Braud's arm (or truck) longitudinal axis. For at least the reasons presented above, applicant respectfully submits that Braud does not and cannot teach the applicant's invention as claimed and that the rejection of claim 1 (with claims 2-5 dependent thereon) be withdrawn.

The Examiner has rejected claims 1-5 and 7 under 35 U.S.C. 102(e) as being anticipated by Knight (6,554,558). However, applicant respectfully submits that Knight clearly fails to teach or suggest an arrangement in which its engine cooling apparatus longitudinal axis is oriented substantially parallel to the arm longitudinal axis, as claimed by the applicant. Rather, like the above-discussed Braud reference, Knight teaches the exact opposite of this claimed feature. With reference to Fig. 1 of Knight, Knight's radiator (91) is situated so that its longitudinal (versus transverse) axis is perpendicular with its arm longitudinal axis. For at least the reasons presented above, applicant respectfully submits that Knight does not and cannot teach the applicant's invention as claimed and that the rejection of claim 1 (with claims 2-5 and 7 dependent thereon) be withdrawn.


Claims 8 and 9 were indicated as being allowed by the Examiner. The applicant thanks the examiner for allowance of these claims.

Claim 6 was objected to by the Examiner as being dependent upon a rejected base claim, but it was indicated that this claim would be allowable if rewritten in independent form to include all limitations of the base claim and any intervening claims. In response thereto, applicant respectfully requests that this requirement be held in abeyance until the Examiner has had the opportunity to review applicants remarks presented herein.

Applicant has added claim 10 for the Examiner's consideration which is claim 1 with the language "extensible" removed as it relates to the arm. A review of the prior art does not reveal that having this limitation is necessary to support patentability of claim 1 and favorable consideration is respectfully requested.

It is respectfully urged that the subject application is in condition for allowance and allowance of the application at issue is respectfully requested.

Respectfully submitted,



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